



12m 12D 3-18-94 120 1205

PATENT  
Docket No. 2026-4034US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : W.H. Wilson, and R. Wittes Anticipated Classification of this application:  
FWC of Serial No. : 07/950,380 (parent) Class \_\_\_\_\_ Subclass \_\_\_\_\_  
Filed : January 6, 1994 Prior Application  
For : **TAXOL TREATMENT OF** Examiner: Jerome Goldberg  
**LYMPHOMAS AND BREAST** Group Art Unit: 1205  
**CANCER**

08/178,463 LETTER

HON. COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Sir:

File wrapper continuing application (FWC) papers under 37 C.F.R. § 1.62 were filed for the above-referenced application on January 6, 1994 by Express Mail (Express Mail Label No. IB463509409US).

On page two (2), number 6, of the FWC papers, it was noticed that Box 6.c. should have been checked, rather than Box 6.a. Therefore, a new page 2 of the form is being submitted herewith. On this page, Box 6. reads correctly as follows:

6. ☒ The fees to be charged are to be based on the number of claims:
- a. ☐ remaining after entering the attached Amendment.
  - b. ☐ entered in the parent application as of the date of its abandonment.
  - c. ☒ remaining after entering the Amendment After Final Rejection filed on November 8, 1993 in the above-identified parent application.

It is respectfully requested that new page 2 replace previously-filed page 2 of the FWC papers for this application.

All of the other information on the FWC papers is correct as originally filed on January 6, 1994.

This substitute page 2 is being timely submitted on January 10, 1994, as the last day of the extendable response period, January 8, 1994, is Saturday.

Thank you for your assistance and cooperation in this matter.

Respectfully submitted,

MORGAN & FINNEGAN

Dated: January 10, 1994

By: Leslie A. Serunian  
Leslie A. Serunian  
Registration No. 35,353

Mailing Address:  
MORGAN & FINNEGAN  
345 Park Avenue  
New York, New York 10154  
(212) 758-4800  
(212) 751-6849 Telecopier

FORM: FWC-TRAN.NY  
Rev. 1/1/93

Express Mail Label No. IB463509343US



**PATENT**  
Docket No. **2026-4034US1**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : W.H. Wilson and R. Wittes      Group Art Unit: 1205  
Serial No. : 07/950,380 (parent)      Examiner: Jerome Goldberg  
Filed : January 6, 1994  
For : **TAXOL TREATMENT OF LYMPHOMAS AND BREAST CANCER**

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

**CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. § 1.10(a)**

Express Mail Label No.: IB463509343US

Date of Deposit : January 10, 1994

I hereby certify that the following attached paper(s) and/or fee(s)

1. Letter
2. Substitute Page 2 of FWC Form for 2026-4034US1
3. Express Mail Certificate
4. Return Receipt Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Francisco Garcia  
(Typed or printed name of person  
mailing paper(s) or fee)

*Francisco Garcia*  
(Signature of person mailing paper(s) or fee)

Mailing Address:

MORGAN & FINNEGAN  
345 Park Avenue  
New York, New York 10154  
(212) 758-4800  
(212) 751-6849 Telecopier  
FORM: EXP-MAIL.NY  
Rev. 1/1/93

Express Mail Label No. IB463509343US

5. Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending and has been granted a filing date, so as to make this application co-pending with said parent application. Please use all the contents of the parent application file wrapper, including the drawings, as the basic papers for the new application.

It is understood that secrecy under 35 U.S.C. § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 C.F.R. § 1.62 application, be it either this application or a prior application in the same file wrapper, the PTO may provide similar information or access to all the other applications in the same file wrapper.

6. ☒ The fees to be charged are to be based on the number of claims:
- ☐ remaining after entering the attached Amendment.
  - ☐ entered in the parent application as of the date of its abandonment.
  - ☒ remaining after entering the Amendment After Final Rejection filed November 8, 1993 in the above-identified parent application.

#### CLAIMS FOR FEE CALCULATION

	Number		Number Extra	Rate for Non-Small Entity	Basic Fee \$710.00
Total* Claims	19	-20	0	x \$22.00	\$ 0
Independent Claims	3	-3	0	x \$74.00	\$ 0
Multiple Dependent Claims(s)	<input type="checkbox"/> yes Addt'l Fee			\$230.00	
	<input type="checkbox"/> no None			- - -	\$ 0

Filing Fee Calculation \$710.00

7. ☐ A verified statement that this is a filing by a small entity is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9 (f) (50% of total) paid herewith \$\_\_\_\_\_.
8. ☒ A check in the amount of \$710.00 in payment of the FWC application filing fees is attached.
9. ☐ Charge fee to Deposit Account No. 13-4500. Order No. \_\_\_\_\_. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
10. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 13-4500. Order No. 2026-4034US1. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
11. ☐ Priority of application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_, is claimed under 35 U.S.C. § 119.  
(country)

\* Includes all independent and single dependent claims and all claims referred to in multiple dependent claims. See 37 C.F.R. § 1.75(c).

☐ Charge the fee to Deposit Account No. 13-4500. Order No. \_\_\_\_\_. A  
DUPLICATE COPY OF THIS SHEET IS ATTACHED.

7. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:

- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
- b. the attached petition requesting consideration of this Information Disclosure Statement; and
- c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.

8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

- a. ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue;
- b. ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.
- c. The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.

9. ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10. ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).

☐ Charge the fee due under 37 C.F.R. §1.17(i)(1) to Deposit Account No. 13-4500. Order No. \_\_\_\_\_. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

☐ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500. Order No. \_\_\_\_\_. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN & FINNEGAN

Dated: January 21, 1993

By: Christopher A. Klein  
Christopher A. Klein  
Registration No. 34,363

Mailing Address:

MORGAN & FINNEGAN  
345 Park Avenue  
New York, New York 10154  
(212) 758-4800  
(212) 751-6849 Telecopier